

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK COFFEY, et al.,  
Plaintiffs,  
v.  
ASTRAZENECA, LP, et al.,  
Defendants.

No. C 09-4161 CW  
ORDER ADDRESSING  
THE CLAIMS OF  
PLAINTIFFS MIGUEL  
PORTO AND ERIC  
NEGRAY

DENNIS O'BRIEN, et al.,  
Plaintiffs,  
v.  
ASTRAZENECA, LP, et al.,  
Defendants.

No. C 10-0289 CW

On February 14, 2013, the Court granted the Miller Firm's motion to withdraw as counsel for Plaintiff Miguel Porto. Thereafter, pursuant to Court order, counsel provided Mr. Porto with a copy of the Court's order and with notice that the Court had granted the motion to withdraw and that he was required to attend the March 21, 2013 case management conference in person or through new counsel, or his case would be dismissed for failure to prosecute. See Docket No. 92 in Case No. 09-4161. Mr. Porto did not appear at the March 21, 2013 case management conference in person or through new counsel. Accordingly, the Court DISMISSES his claims for failure to prosecute. This dismissal resolves the claims of the last Plaintiff in Case No. 09-4161.

Pursuant to the Court's direction, the parties have scheduled a mediation regarding the claims of Plaintiff Eric Negray to take

1 place on April 4, 2013 with Professor Stephen Saltzburg in  
2 Wilmington, Delaware. The Court ORDERS that Mr. Negray appear in  
3 person at the April 4, 2013 mediation, if he has not reached a  
4 settlement with Defendants prior to that time. Mr. Negray's  
5 failure to appear personally at the mediation will result in  
6 dismissal of his case for failure to prosecute. The Miller Firm  
7 shall provide Mr. Negray with a copy of this Order and shall a  
8 declaration attesting that it has done so.

9 IT IS SO ORDERED.

10  
11 Dated: 3/22/2013

  
CLAUDIA WILKEN  
United States District Judge

United States District Court  
For the Northern District of California